FREJKA PLLC Elise S. Frejka Jason S. Rappaport 733 Third Avenue New York, New York 10017 Telephone: (212) 641-0800

UNITED STATES BANKRUPTCY COURT

Attorneys for Defendant

## SOUTHERN DISTRICT OF NEW YORK SECURITIES INVESTOR PROTECTION : Adv. Pro. No. 08-01789 (SMB) CORPORATION, Plaintiff, **SIPA** Liquidation V. BERNARD L. MADOFF INVESTMENT : (Substantively Consolidated) SECURITIES LLC, Defendant. In re BERNARD L. MADOFF, Debtor. IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Adv. Pro. No. 11-02773 (SMB) Plaintiff, V. JEWISH ASSOCIATION FOR SERVICES FOR THE AGED, Defendant.

NOTICE OF APPEARANCE AND DEMAND FOR SERVICE OF PLEADINGS AND OTHER PAPERS

08-01789-cgm Doc 9565 Filed 03/23/15 Entered 03/23/15 11:47:48 Main Document Pg 2 of 3

PLEASE TAKE NOTICE THAT Frejka PLLC hereby files this notice of appearance in adversary proceeding number 11-02773 (SMB) (the "<u>Adversary Proceeding</u>") on behalf of the Jewish Association for Services for the Aged (the "<u>Defendant</u>") as co-counsel with Kramer Levin Naftalis & Frankel LLP.

PLEASE TAKE FURTHER NOTICE that pursuant to section 1109(b) of title 11 of the United States Code (the "Bankruptcy Code") and Rules 2002, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), Frejka PLLC requests that copies of all notices and pleadings given or served in the Adversary Proceeding be given and served upon Frejka PLLC at the office, address, telephone number, and e-mail addresses set forth below:

FREJKA PLLC 733 Third Avenue New York, New York 10017 Attn: Elise S. Frejka

Jason S. Rappaport Telephone: (212) 641-0800 Email: efrejka@frejka.com jrappaport@frejka.com

PLEASE TAKE FURTHER NOTICE that the foregoing request includes all of the notices and papers referred to in the Bankruptcy Rules, Bankruptcy Code, and the Local Bankruptcy Rules for the Southern District of New York, and also includes, without limitation, notices of any orders, pleadings, motions, applications, complaints, demands, hearings, requests or petitions, answering or reply papers, memoranda and briefs in support of any of the foregoing and any other document brought before this Court with respect to the Adversary Proceeding and any proceedings therein, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery, telephone, telegraph, telecopier, telex or otherwise, all of which shall be sent to the attorneys listed above.

Filed 03/23/15 Entered 03/23/15 11:47:48 Main Document 08-01789-cgm Doc 9565 Pq 3 of 3

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance and

Demand for Service of Pleadings and Other Papers, nor any later appearance, pleading, claim or

suit shall constitute a waiver of (i) the right to have final orders in non-core matters entered only

after de novo review by a judge of the United States District Court for the Southern District of

New York, (ii) the right to trial by jury in any proceeding related to the Adversary Proceeding, or

proceeding related to the Adversary Proceeding, (iii) the right to have the United States District

Court for the Southern District of New York withdraw the reference in any matter subject to

mandatory or discretionary withdrawal, (iv) any objection to the jurisdiction of this Court for any

purpose other than with respect to this notice, (v) an election of remedy, (vi) any other rights.

claims, actions, defenses, setoffs, or recoupments as appropriate, in law or in equity, under any

agreements, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly

reserved.

Dated: New York, New York

March 23, 2015

FREJKA PLLC

By: /s/ Elise S. Frejka

Elise S. Frejka Jason S. Rappaport 733 Third Avenue

New York, New York 10017

Telephone: (212) 641-0800

Attornevs for Defendant

-3 -